

Remarks

Reconsideration of this Application is respectfully requested.

Claims 10-14, 28-32, and 37-44 are pending in the application, with 10, 28, and 39 being the independent claims. Claims 10, 28, and 39 are amended.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

In paragraph 3 of page 2 of the Office Action, claims 10-14, 28-32, and 39-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over "AvantGo Server Administration Guide" (hereinafter AvantGo) in view of International Publication No. WO 98/38614 to Boyd *et al* (hereinafter Boyd). Applicants respectfully traverse the rejection, and request that it be withdrawn.

Applicants assert that a prima facie case of obviousness has not been established in the Office Action for at least the reason that the cited art does not teach or suggest each and every element of independent claims 10, 28, and 39. For example, claim 10 as amended recites "receiving subscriber and usage information generated at least partially while off-line by at least one client". AvantGo and Boyd do not teach or use this feature.

Upon close review, Applicants have determined that AvantGo merely discloses a *server* logging its housekeeping activities such as creation of new users, server start and stop times, and user synchronization times. (page 69, 129, and 130 of AvantGo). A server is not a client, moreover, the logging of server housekeeping activities is not the tracking of off-line usage information. Thus AvantGo does not teach nor even suggest

collecting subscriber nor usage information generated by the *client*, moreover, AvantGo does not teach nor suggest the collection of any *off-line* information.

Boyd also does not disclose the receiving of subscriber and usage data generated while *off-line* by the *client*. Upon close review, Applicants have determined that Boyd merely discloses the display of information to the content provider collected by *the content provider's own web server*. Moreover, Boyd does not disclose the receipt nor display of any type of client data collected by the client while the client is *off-line*.

Thus, neither AvantGo nor Boyd, alone or in combination, teach or disclose "receiving subscriber and usage information generated at least partially while off-line by at least one client" as recited in claim 10. Thus claim 10 is patentable over AvantGo and Boyd for at least these reasons.

Accordingly, Applicants respectfully submit that independent claim 10 is patentable over AvantGo and Boyd, for at least the reasons stated above. Furthermore, independent claims 28 and 39 are also patentable over AvantGo and Boyd for the reasons provided for claim 10, and further in view of their own features. Applicants further assert that claims 11-14, 29-32, 37, 38, and 40-44, which depend from claims 10, 28, and 39, are also patentable over AvantGo and Boyd for at least the reasons above (with regard to their respective independent claim), and further in view of their own features. Accordingly, Applicants respectfully request that the rejection of the claims be reconsidered and withdrawn.

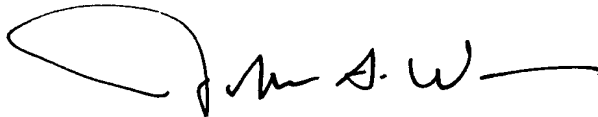
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'J. S. W.', with a large, stylized initial 'J'.

Jeffrey S. Weaver
Attorney for Applicants
Registration No. 45,608

Date: 6-13-06

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

509010_4.DOC